

1 respond as follows: Cross-defendants presently are not aware of documents concerning inspections
 2 of the Premises by the listed Governmental Agencies. Discovery is ongoing and Cross-defendants
 3 reserve the right to supplement this response.

4 **SPECIAL INTERROGATORY NO. 27:**

5 Describe any spill, leak, release, or discharge to the PREMISES of any hydrocarbon
 6 contaminants, during YOUR occupation and/or operations at the PREMISES.
 7

8 **RESPONSE TO SPECIAL INTERROGATORY NO. 27:**

9 Cross-defendants hereby incorporate their General Objections, and further object because they
 10 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 11 Premises at any time. Cross-defendants also object to this Special Interrogatory as overbroad,
 12 including as to time, and as unduly oppressive and burdensome. Finally, Cross-defendants object to
 13 the Special Interrogatory as vague and ambiguous in its use of the terms "spill," "leak," "release,"
 14 "discharge," or "hydrocarbon contaminants," and that as a result, this Special Interrogatory is
 15 unintelligible and fails to disclose with specificity or particularize reasonably the information
 16 requested. Without waiving any objections, however, Cross-defendants respond as follows: Cross-
 17 defendants are presently unaware of any spill, leak, release, or discharge of hydrocarbon
 18 contamination during GPC's and/or Teal's occupation or operation of the Premises.
 19

20 **SPECIAL INTERROGATORY NO. 28:**

21 List any and all DOCUMENTS, including, but not limited to, reports submitted by YOU to
 22 any GOVERNMENT AGENCY in connection with any release(s) described in response to the
 23 previous Interrogatory.
 24

25 **RESPONSE TO SPECIAL INTERROGATORY NO. 28:**

26 Cross-defendants hereby incorporate their General Objections, and further object because they
 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 ises at any time. Cross-defendants also object to this Special Interrogatory as overbroad,

1 including as to time, and as unduly oppressive and burdensome. Finally, Cross-defendants object to
 2 the Special Interrogatory as vague and ambiguous in its incorporation of the terms "spill," "leak,"
 3 "release," "discharge," or "hydrocarbon contaminants," and that as a result, this Special Interrogatory
 4 is unintelligible and fails to disclose with specificity or particularize reasonably the information
 5 requested. Without waiving any objections, however, Cross-defendants respond as follows: Cross-
 6 defendants are presently unaware of any release of hydrocarbon contamination during GPC's and/or
 7 Teal's occupation or operation of the Premises.
 8

9 **SPECIAL INTERROGATORY NO. 29:**

10 List any and all DOCUMENTS, including but not limited to, orders issued by any
 11 GOVERNMENT AGENCY in connection with any release(s) described in response to Interrogatory
 12 No. 27.
 13

14 **RESPONSE TO SPECIAL INTERROGATORY NO. 29:**

15 Cross-defendants hereby incorporate their General Objections, and further object because they
 16 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 17 Premises at any time. Cross-defendants also object to this Special Interrogatory as overbroad,
 18 including as to time, and as unduly oppressive and burdensome. Cross-defendants object to the
 19 Special Interrogatory as vague and ambiguous in its incorporation of the terms "spill," "leak,"
 20 "release," "discharge," or "hydrocarbon contaminants," and that as a result, this Special Interrogatory
 21 is unintelligible and fails to disclose with specificity or particularize reasonably the information
 22 requested. Finally, Cross-defendants object on the grounds that any such documents are a matter of
 23 public record and, as such, any information about such documents, including their identity, can be
 24 accessed as easily by cross-complainants as by Cross-defendants. Without waiving any objections,
 25 however, Cross-defendants respond as follows: Cross-defendants are presently unaware of any
 26 release of hydrocarbon contamination during GPC's and/or Teal's occupation or operation of the
 27 Premises.
 28

SPECIAL INTERROGATORY NO. 30:

Identify any and all tenants and subtenants, including, but not limited to, all lessees, sublessees, and assignees who occupied and/or operated on the PREMISES during the period of YOUR ownership, occupation or operations on the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 30:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants also object to this Special Interrogatory as overbroad, including as to time, and as unduly oppressive and burdensome. Without waiving any objections, however, Cross-defendants respond as follows: GPC assigned its interests to TEORCO in an August 26, 1983, Assignment of Interests in Real Property, Lease of Personal Property Equipment, and Agreements with Respect Thereto. See Bates numbers B004304 – 004507. TEORCO was an assignee until April 30, 1988.

SPECIAL INTERROGATORY NO. 31:

During YOUR ownership, occupation or operations on the PREMISES, describe YOUR tenants/subtenants' business structure under which YOU and YOUR tenants/subtenants operated at the PREMISES, i.e., did YOUR tenants/subtenants conduct operations at the PREMISES as a corporation, partnership, sole proprietorship, etc.?

RESPONSE TO SPECIAL INTERROGATORY NO. 31:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to this Special Interrogatory as vague and ambiguous in its use of the term "business structure" and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: GPC

1 assigned its interests to TEORCO in an August 26, 1983, Assignment of Interests in Real Property,
 2 Lease of Personal Property Equipment, and Agreements with Respect Thereto. See Bates numbers
 3 004304 – 004507. Cross-defendants are presently unaware of the nature of the "business structure" of
 4 TEORCO at the time.

5 **SPECIAL INTERROGATORY NO. 32:**

6 State and identify the nature of the business YOUR tenants/subtenants operated at the
 7 PREMISES and describe in detail the operations and processes YOUR tenants/subtenants engaged in
 8 at the PREMISES.
 9

10 **RESPONSE TO SPECIAL INTERROGATORY NO. 32:**

11 Cross-defendants hereby incorporate their General Objections, and further object because they
 12 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 13 Premises at any time. Finally, Cross-defendants object on the basis that the Special Interrogatory
 14 requires Cross-defendants to provide information from or about a third party over which they have no
 15 control. Without waiving any objections, however, Cross-defendants respond as follows: On
 16 information and belief, TEORCO engaged in the production of heavy oil, including steam generation
 17 and distribution, production treating, water treating and disposal, storage, and truck loading. Cross-
 18 defendants refer cross-complainants to document No. B001422, which, on information and belief, is
 19 an inventory of the equipment that was located on the Premises at the time of GPC's transfer of its
 20 interests to TEORCO.
 21

22 **SPECIAL INTERROGATORY NO. 33:**

23 Describe the practices, policies, and procedures which YOUR tenants/subtenants followed to
 24 guard against hydrocarbon contamination of the PREMISES.
 25

26 **RESPONSE TO SPECIAL INTERROGATORY NO. 33:**

27 Cross-defendants hereby incorporate their General Objections, and further object because they
 28 never owned, operated, used, or held any property interest, including any leasehold interests, in the

1 Premises at any time. Cross-defendants object to the Special Interrogatory as vague and ambiguous
 2 in its use of the term "hydrocarbon contamination," and that as a result, this Special Interrogatory is
 3 unintelligible and fails to disclose with specificity or particularize reasonably the information
 4 requested. Finally, Cross-defendants object on the basis that the Special Interrogatory requires Cross-
 5 defendants to provide information from or about a third party over which they have no control.
 6 Without waiving any objections, however, Cross-defendants respond as follows: Cross-defendants
 7 presently lack information about policies, practices, or procedures followed by TEORCO to guard
 8 against hydrocarbon contamination, except to the extent there is testimony in the depositions of
 9 Charles Jurgens and Dr. Mahguib El Arabi that is responsive to this Special Interrogatory.

11 **SPECIAL INTERROGATORY NO. 34:**

12 List any and all inspections performed by any GOVERNMENTAL AGENCY, including, but
 13 not limited to, the Fire Department, the Department of Health Services, the County Health
 14 Department, the Department of Toxic Substances Control, and the Air Quality Management District,
 15 during YOUR tenants/subtenants occupation and/or operations at the PREMISES.

17 **RESPONSE TO SPECIAL INTERROGATORY NO. 34:**

18 Cross-defendants hereby incorporate their General Objections, and further object because they
 19 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 20 Premises at any time. Cross-defendants object on the grounds that any such inspections are a matter
 21 of public record and, as such, any information about such inspections, including their identity, can be
 22 accessed as easily by cross-complainants as by Cross-defendants. Finally, Cross-defendants object on
 23 the basis that the Special Interrogatory requires Cross-defendants to provide information from or
 24 about a third party over which they have no control. Without waiving any objections, however,
 25 Cross-defendants respond as follows: Cross-defendants presently lack information about inspections
 26 of the Premises by the listed Governmental Agencies, other than an apparent inspection on September
 27 30, 1986, by the County of Los Angeles Department of Public Works. See document No. B006717.

SPECIAL INTERROGATORY NO. 35:

IDENTIFY any and all DOCUMENTS, including, but not limited to, reports and/or orders prepared by any GOVERNMENTAL AGENCY, including, but not limited to, the Fire Department, the Department of Health Services, the County Health Department, the Department of Toxic Substances Control, and the Air Quality Management District, in connection with any and all inspections listed in response to the previous Interrogatory.

RESPONSE TO SPECIAL INTERROGATORY NO. 35:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants also object on the grounds that any such inspections are a matter of public record and, as such, any information about such inspections can be accessed as easily by cross-complainants as by Cross-defendants. Finally, Cross-defendants object on the basis that the Special Interrogatory requires Cross-defendants to provide information from or about a third party over which they have no control. Without waiving any objections, however, Cross-defendants respond as follows: Cross-defendants presently lack information about inspections of the Premises by the listed Governmental Agencies, other than an apparent inspection on September 30, 1986, by the County of Los Angeles Department of Public Works. See document No. B006717.

SPECIAL INTERROGATORY NO. 36:

Describe any spill, leak, release, or discharge to the PREMISES of any hydrocarbon contaminants, during YOUR tenants/subtenants occupation and/or operations at the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 36:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the terms "spill," "leak," "release," "discharge," or "hydrocarbon contaminants," and that

1 as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or
 2 particularize reasonably the information requested. Finally, Cross-defendants object on the basis that
 3 the Special Interrogatory requires Cross-defendants to provide information from or about a third party
 4 over which they have no control. Without waiving any objections, however, Cross-defendants
 5 respond as follows: Cross-defendants are presently unaware of any spill, leak, release, or discharge of
 6 hydrocarbon contamination during TEORCO's occupation or operation of the Premises, other than
 7 two "discharges" identified in an apparent report of an inspection conducted on September 30, 1986,
 8 by the County of Los Angeles Department of Public Works. See document No. B006717.
 9

10 **SPECIAL INTERROGATORY NO. 37:**

11 List any and all DOCUMENTS, including, but not limited to, reports submitted by YOUR
 12 tenants/subtenants to any GOVERNMENT AGENCY in connection with any release(s) described in
 13 response to the previous Interrogatory.
 14

15 **RESPONSE TO SPECIAL INTERROGATORY NO. 37:**

16 Cross-defendants hereby incorporate their General Objections, and further object because they
 17 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 18 Premises at any time. Cross-defendants object to the Special Interrogatory as vague and ambiguous in
 19 its incorporation of the terms "spill," "leak," "release," "discharge," or "hydrocarbon contaminants,"
 20 and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or
 21 particularize reasonably the information requested. Finally, Cross-defendants object on the basis that
 22 the Special Interrogatory requires Cross-defendants to provide information from or about a third party
 23 over which they have no control. Without waiving any objections, however, Cross-defendants
 24 respond as follows: Cross-defendants are presently unaware of any release of hydrocarbon
 25 contamination during TEORCO's occupation or operation of the Premises, other than two
 26 "discharges" identified in an apparent report of an inspection conducted on September 30, 1986, by
 27 the County of Los Angeles Department of Public Works. See document No. B006717.
 28

SPECIAL INTERROGATORY NO. 38:

List any and all DOCUMENTS, including, but not limited to, orders issued by any GOVERNMENT AGENCY in connection with any release(s) described in response to Interrogatory No. 36.

RESPONSE TO SPECIAL INTERROGATORY NO. 38:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants object to the Special Interrogatory as vague and ambiguous in its incorporation of the terms "spill," "leak," "release," "discharge," or "hydrocarbon contaminants," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Finally, Cross-defendants object on the basis that the Special Interrogatory requires Cross-defendants to provide information from or about a third party over which they have no control. Without waiving any objections, however, Cross-defendants respond as follows: Cross-defendants are presently unaware of any release of hydrocarbon contamination during TEORCO's occupation or operation of the Premises, other than that identified in document No. B006717.

SPECIAL INTERROGATORY NO. 39:

Do YOU contend that PERSONS other than YOU were, at any time, and/or currently are, responsible for causing contamination of the PREMISES, or any of them?

RESPONSE TO SPECIAL INTERROGATORY NO. 39:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "causing contamination," and that as a result, this Special

Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Many parties, other than GPC and/or Teal, owned or operated facilities for the exploration and production of heavy oil at the Premises, or allowed such operations to be conducted on the Premises. Those parties include York Oil Company, Magnor Pet. Co., Helen and Frank McCoy (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as identified in response to Interrogatory No. 8, and the subsequent owners, occupants, or operators, including Cross-complainants and Hillside Oil Partners. Discovery is continuing and Cross-defendants reserve the right to supplement this response.

SPECIAL INTERROGATORY NO. 40:

If YOU contend that PERSONS other than YOU were, at any time, and/or currently are, responsible for causing contamination of the PREMISES, or any of them, please IDENTIFY all such PERSONS.

RESPONSE TO SPECIAL INTERROGATORY NO. 40:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "causing contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Many parties, other than GPC and/or Teal, owned or operated facilities for the exploration and production of heavy oil at the Premises, or allowed such operations to be conducted on the Premises. Those parties include York Oil Company, Magnor Pet. Co., Helen and Frank McCoy

(York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as identified in response to Interrogatory No. 8, and the subsequent owners, occupants, or operators, including Cross-complainants and Hillside Oil Partners. Cross-defendants contend that any or all of such persons could be responsible for causing contamination of the Premises. Discovery is continuing and Cross-defendants reserve the right to supplement this response.

SPECIAL INTERROGATORY NO. 41:

If YOU contend that PERSONS other than YOU were, at any time, and/or currently are, responsible for causing contamination of the PREMISES, please state all facts upon which YOU base such a contention.

RESPONSE TO SPECIAL INTERROGATORY NO. 41:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "causing contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Those parties include York Oil Company, Magnor Pet. Co., Helen and Frank McCoy (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as identified in response to Interrogatory No. 8, and the subsequent owners, occupants, or operators, including Cross-complainants and Hillside Oil Partners. Cross-defendants contend that any or all of such persons could be responsible for causing contamination of the Premises. Discovery is continuing and Cross-defendants reserve the right to supplement this response.

1 **SPECIAL INTERROGATORY NO. 42:**

2 If YOU contend that PERSONS other than YOU were, at any time, and/or currently are,
3 responsible for causing contamination of the PREMISES, or any of them, please IDENTIFY all
4 PERSONS with knowledge of any of the facts upon which YOU base such contention.

5 **RESPONSE TO SPECIAL INTERROGATORY NO. 42:**

6 Cross-defendants hereby incorporate their General Objections, and further object because they
7 never owned, operated, used, or held any property interest, including any leasehold interests, in the
8 Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for
9 an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and
10 ambiguous in its use of the term "causing contamination," and that as a result, this Special
11 Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the
12 information requested. Without waiving any objections, however, Cross-defendants respond as
13 follows: Many parties, other than GPC and/or Teal, owned or operated facilities for the exploration
14 and production of heavy oil at the Premises, or allowed such operations to be conducted on the
15 Premises. Those parties include York Oil Company, Magnor Pet. Co., Helen and Frank McCoy
16 (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard Pfahler (Pfahler); and
17 those parties from whom GPC and/or Teal obtained an interest, as identified in response to
18 Interrogatory No. 8, and the subsequent owners, occupants, or operators, including Cross-
19 complainants and Hillside Oil Partners. These persons, or employees of these entities, may have
20 knowledge. Numerous documents have been produced that identify persons involved in the
21 operations of TEORCO, PRI, and the Cross-complainants, and any such persons may have
22 knowledge. Such persons specifically include Kent Riley, Joe Rose, Charles Jurgens and Dr.
23 Mahguib El-Arabi. Discovery is continuing and Cross-defendants reserve the right to supplement
24 this response.
25
26
27
28

1 **SPECIAL INTERROGATORY NO. 43:**

2 Do YOU contend that GRACE ENERGY is not obligated to clean up contamination of the
3 PREMISES if that contamination already existed on the PREMISES prior to YOUR ownership,
4 occupation, or operations on the PREMISES?
5

6 Do YOU contend that W.R. GRACE is not obligated to clean up contamination of the
7 PREMISES if that contamination already existed on the PREMISES prior to YOUR ownership,
8 occupation, or operations on the PREMISES?

9 **RESPONSE TO SPECIAL INTERROGATORY NO. 43:**

10 Cross-defendants hereby incorporate their General Objections, and further objects because
11 they never owned, operated, used, or held any property interest, including any leasehold interests, in
12 the Premises at any time. Cross-defendants object to the Special Interrogatory to the extent it requires
13 a response based on a legal conclusion or analysis rather than facts. Finally, Cross-defendants object
14 to the Special Interrogatory as vague and ambiguous in its use of the term "contamination," and that
15 as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or
16 particularize reasonably the information requested. Without waiving any objections, however, Cross-
17 defendants respond as follows: yes.
18

19 **SPECIAL INTERROGATORY NO. 44:**

20 If YOU contend that GRACE ENERGY is not obligated to clean up contamination of the
21 PREMISES if that contamination already existed on the PREMISES prior to YOUR ownership,
22 occupation or operations on the PREMISES, please state the basis for such contention?
23

24 If YOU contend that W.R. GRACE is not obligated to clean up contamination of the
25 PREMISES if that contamination already existed on the PREMISES prior to YOUR ownership,
26 occupation or operations on the PREMISES, please state the basis for such contention?
27
28

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 44:**

2 Cross-defendants hereby incorporate their General Objections. Cross-defendants object to the
 3 Special Interrogatory to the extent it requires a response based on a legal conclusion or analysis
 4 rather than facts. Finally, Cross-defendants object to the Special Interrogatory as vague and
 5 ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is
 6 unintelligible and fails to disclose with specificity or particularize reasonably the information
 7 requested. Without waiving any objections, however, Cross-defendants respond as follows: Cross-
 8 defendants never owned, operated, used, or held any property interest, including any leasehold
 9 interests, in the Premises at any time. A separate corporation, GPC and/or Teal, from time to time had
 10 an interest in some of the properties, facilities, or oil and gas leases at issue in this action. In or about
 11 1993, the stock of GPC was sold to Samson Investment Company (Samson). Further, there is no
 12 evidence that GPC's or Teal's operations caused any hydrocarbon spills or leaks. The evidence is to
 13 the contrary. For example, in 1983, just prior to GPC's transfer of its interests in the Premises to
 14 TEORCO, Cross-complainant Charles Jurgens stated, with regard to the premises operated by GPC,
 15 that the "surface facilities are in excellent condition, well-engineered and first rate." See document
 16 No. B003621. Further, on information and belief, GPC employed an environmental coordinator for
 17 operations at the Premises, and maintained a "Spill Prevention Control and Countermeasure Plan."
 18 Further, GPC's Environmental Coordinator determined in 1983, when GPC conveyed its interests to
 19 TEORCO, that the premises were "found to be clean and well maintained with no need for repairs,
 20 replacements or adjustments." See document No. B003891. Cross-defendants are not aware of
 21 information establishing that there were any spills or leaks of hydrocarbons resulting in
 22 "contamination" during its operations. Finally, PRI has indemnified GPC for any cleanup liability
 23 concerning the Premises. See document No. PRI 002154. Discovery is ongoing and Cross-
 24 defendants reserve the right to supplement this response.
 25
 26
 27
 28

SPECIAL INTERROGATORY NO. 45:

If YOU contend that contamination already existed on the PREMISES prior to YOUR ownership, occupation or operations on the PREMISES, please describe the nature and location of such contamination.

RESPONSE TO SPECIAL INTERROGATORY NO. 45:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Several parties, other than GPC and/or Teal, owned or operated the Premises and/or facilities for the exploration and production of heavy oil at the Premises, or allowed such operations to be conducted on the Premises, prior to GPC and/or Teal. Those parties include York Oil Company, Magnor Pet. Co., Helen and Frank McCoy (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as identified in response to Interrogatory No. 8. Cross-defendants contend that any or all of such persons could be responsible for causing contamination of the Premises, but lack information as to the nature and location of such contamination. Discovery is continuing and Cross-defendants reserve the right to supplement this response.

SPECIAL INTERROGATORY NO. 46:

If YOU contend that contamination already existed on the PREMISES prior to YOUR ownership, occupation or operations on the PREMISES, please IDENTIFY all PERSONS who have knowledge of the fact that such contamination existed at that time.

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 46:**

2 Cross-defendants hereby incorporate their General Objections, and further object because they
 3 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 4 Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for
 5 an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and
 6 ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is
 7 unintelligible and fails to disclose with specificity or particularize reasonably the information
 8 requested. Without waiving any objections, however, Cross-defendants respond as follows: Several
 9 parties, other than GPC or Teal, owned or operated the Premises and/or facilities for the exploration
 10 and production of heavy oil at the Premises, or allowed such operations to be conducted on the
 11 Premises, prior to GPC and/or Teal. Those parties include York Oil Company, Magnor Pet. Co.,
 12 Helen and Frank McCoy (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler);
 13 Richard Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as
 14 identified in response to Interrogatory No. 8. Cross-defendants contend that any or all of such
 15 persons could be responsible for causing contamination of the Premises, but lack information as to
 16 the persons with knowledge of any such contamination. Discovery is continuing and Cross-
 17 defendants reserve the right to supplement this response.

18 **SPECIAL INTERROGATORY NO. 47:**

19 Please IDENTIFY all PERSONS with knowledge of the facts which YOU contend support
 20 GRACE ENERGY's contentions as to nature and extent of the contamination of the PREMISES,
 21 prior to YOUR ownership, occupation or operations on the PREMISES.

22 Please IDENTIFY all PERSONS with knowledge of the facts which YOU contend support
 23 W.R. GRACE's contentions as to nature and extent of the contamination of the PREMISES, prior to
 24 YOUR ownership, occupation or operations on the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 47:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Several parties, other than GPC or Teal, owned or operated the Premises and/or facilities for the exploration and production of heavy oil at the Premises, or allowed such operations to be conducted on the Premises, prior to GPC and/or Teal. Those parties include York Oil Company, Magnor Pet. Co., Helen and Frank McCoy (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as identified in response to Interrogatory No. 8. Cross-defendants contend that any or all of such persons could be responsible for contamination, but lack information as to the persons with knowledge of any such contamination. Discovery is continuing and Cross-defendants reserve the right to supplement this response.

SPECIAL INTERROGATORY NO. 48:

Please describe YOUR contentions as to the cause of the contamination of the PREMISES, prior to YOUR ownership, occupation or operations on the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 48:

Cross-defendants hereby incorporate their General Objections. In addition, Cross-defendants never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Cross-defendants also object to this Special Interrogatory as overbroad, including

as to time, and as unduly oppressive and burdensome. Cross-defendants further object on the ground that the Special Interrogatory seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Several parties, other than GPC or Teal, owned or operated the Premises and/or facilities for the exploration and production of heavy oil at the Premises, or allowed such operations to be conducted on the Premises. Such past operations could be responsible for any such contamination. Discovery is continuing and Cross-defendants reserve the right to supplement this response.

SPECIAL INTERROGATORY NO. 49:

Please IDENTIFY all PERSONS with knowledge of the facts which YOU contend support YOUR contentions as to the cause of the contamination of the PREMISES, prior to YOUR ownership, occupation or operations on the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 49:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants further object to the extent this Special Interrogatory calls for an expert opinion. Finally, Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Several parties, other than GPC or Teal, owned or operated the Premises and/or facilities for the exploration and production of heavy oil at the Premises, or allowed such operations to be conducted on the

1 Premises, prior to GPC and/or Teal. Those parties include York Oil Company, Magnor Pet. Co.,
 2 Helen and rank McCoy (York); J.M Schisler, Lillie Schisler, Guiberson Oil Corp. (Schisler); Richard
 3 Pfahler (Pfahler); and those parties from whom GPC and/or Teal obtained an interest, as identified in
 4 response to Interrogatory No. 8. Cross-defendants contend that any or all of such persons, or
 5 employees of such entities, could be responsible for contamination, but lack information as to the
 6 specific persons with knowledge of any such contamination. Discovery is continuing and Cross-
 7 defendants reserve the right to supplement this response.
 8

9 **SPECIAL INTERROGATORY NO. 50:**

10 Describe any information known to YOU or any consultants acting at YOUR request or on
 11 YOUR behalf, about any contamination which existed on the PREMISES as a result of YOUR
 12 ownership, occupation or operations on the PREMISES.
 13

14 **RESPONSE TO SPECIAL INTERROGATORY NO. 50:**

15 Cross-defendants hereby incorporate their General Objections, and further object because they
 16 never owned, operated, used, or held any property interest, including any leasehold interests, in the
 17 Premises at any time. Cross-defendants object to the Special Interrogatory as vague and ambiguous
 18 in its use of the term "contamination," and that as a result, this Special Interrogatory is unintelligible
 19 and fails to disclose with specificity or particularize reasonably the information requested. Without
 20 waiving any objections, however, Cross-defendants respond as follows: Cross-defendants are not
 21 aware of any such information. Cross-defendants are aware of statements in document Nos. 003902
 22 and 03812 that GPC allegedly placed "oily wastes" mixed with soil on roads at unknown portions of
 23 the "Placerita" field, but lack information as to whether such alleged events occurred on the Premises.
 24

25 **SPECIAL INTERROGATORY NO. 51:**

26 Describe any information known to YOU or any consultants acting at YOUR request or on
 27 YOUR behalf, about any contamination which existed on the PREMISES at the time when YOUR
 28 ownership, occupation or operations on the PREMISES concluded.

RESPONSE TO SPECIAL INTERROGATORY NO. 51:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of the term "contamination," and that as a result, this Special Interrogatory is unintelligible and fails to disclose with specificity or particularize reasonably the information requested. Without waiving any objections, however, Cross-defendants respond as follows: Cross-defendants are not aware of any such information. Cross-defendants are aware of statements in document Nos. 003902 and 03812 that GPC allegedly placed "oily wastes" mixed with soil on roads at unknown portions of the "Placerita" field, but lack information as to whether such alleged events occurred on the Premises.

SPECIAL INTERROGATORY NO. 52:

Have YOU or any person or entity acting at YOUR request or on YOUR behalf prepared a REMEDIAL ACTION PLAN for the PREMISES?

RESPONSE TO SPECIAL INTERROGATORY NO. 52:

Cross-defendants hereby incorporate their General Objections. Without waiving any objections, however, Cross-defendants respond as follows: No.

SPECIAL INTERROGATORY NO. 53:

If YOU or any person or entity acting at YOUR request or on YOUR behalf has prepared a REMEDIAL ACTION PLAN for the PREMISES, please list all REMEDIAL ACTION PLANS prepared by or for YOU RELATING TO the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 53:

See response to Special Interrogatory No. 52.

SPECIAL INTERROGATORY NO. 54:

Please describe efforts by YOU to clean up any of the conditions resulting from [of] oil operations on or under the PREMISES, whether or not YOU contend such conditions resulted from

1 YOUR operations, or by earlier operators of oil producing facilities upon said properties, including
 2 but not limited to any site investigation reports, work orders, purchase orders, estimates, invoices,
 3 statements, checks, or any other DOCUMENTS which describe the actions undertaken, the persons
 4 or entities who undertook them, and the costs incurred and paid to clean up said properties.

5
 6 **RESPONSE TO SPECIAL INTERROGATORY NO. 54:**

7 Cross-defendants hereby incorporate their General Objections, and further object because
 8 Cross-defendants never owned, operated, used, or held any property interest, including any leasehold
 9 interests, in the Premises at any time. Cross-defendants also object to this Special Interrogatory as
 10 overbroad, including as to time, and as unduly oppressive and burdensome. Cross-defendants further
 11 object on the ground that the Special Interrogatory seeks information that is neither relevant to the
 12 subject matter of this action nor reasonably calculated to lead to the discovery of admissible
 13 evidence. Cross-defendants object to the Special Interrogatory as vague and ambiguous in its use of
 14 the term "conditions," and that as a result, this Special Interrogatory is unintelligible and fails to
 15 disclose with specificity or particularize reasonably the information requested.

16
 17 **SPECIAL INTERROGATORY NO. 55:**

18 Please IDENTIFY the person(s) most familiar with the clean-up efforts identified in response
 19 to the previous interrogatory.

20 **RESPONSE TO SPECIAL INTERROGATORY NO. 55:**

21 Cross-defendants hereby incorporate their General Objections, and further object because
 22 Cross-defendants never owned, operated, used, or held any property interest, including any leasehold
 23 interests, in the Premises at any time. Cross-defendants also object to this Special Interrogatory as
 24 overbroad, including as to time, and as unduly oppressive and burdensome. Cross-defendants further
 25 object on the ground that the Special Interrogatory seeks information that is neither relevant to the
 26 subject matter of this action nor reasonably calculated to lead to the discovery of admissible
 27 evidence. Cross-defendants object to the Special Interrogatory as vague and ambiguous in its
 28

1 incorporation of the term "conditions," and that as a result, this Special Interrogatory is unintelligible
2 and fails to disclose with specificity or particularize reasonably the information requested.

3 **SPECIAL INTERROGATORY NO. 56:**

4 If YOU or any person or entity acting at YOUR request or on YOUR behalf has prepared a
5 REMEDIAL ACTION PLAN for the PREMISES, please IDENTIFY the person or entity which
6 prepared the REMEDIAL ACTION PLAN.
7

8 **RESPONSE TO SPECIAL INTERROGATORY NO. 56:**

9 Cross-defendants hereby incorporate their General Objections. Without waiving any
10 objections, however, Cross-defendants respond as follows: Cross-defendants have not prepared a
11 Remedial Action Plan nor has any governmental agency required them to prepare one.
12

13 **SPECIAL INTERROGATORY NO. 57:**

14 If YOU or any person or entity acting at YOUR request or on YOUR behalf has prepared a
15 REMEDIAL ACTION PLAN for the PREMISES, describe the findings of the REMEDIAL
16 ACTION PLAN.

17 **RESPONSE TO SPECIAL INTERROGATORY NO. 57:**

18 See Response to Special Interrogatory No. 56.

19 **SPECIAL INTERROGATORY NO. 58:**

20 Please provide the name of each company which has issued any policy of insurance,
21 providing any form of liability coverage, to GRACE ENERGY during the period of YOUR
22 ownership, occupation or operations on the PREMISES.
23

24 Please provide the name of each company which has issued any policy of insurance,
25 providing any form of liability coverage, to GRACE ENERGY during the period of YOUR
26 ownership, occupation or operations on the PREMISES.
27
28

RESPONSE TO SPECIAL INTERROGATORY NO. 58:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the Premises at any time. Cross-defendants also object to this Special Interrogatory as overbroad, including as to time, and as unduly oppressive and burdensome. Cross-defendants further object on the ground that the Special Interrogatory seeks information that is neither relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving any objections, however, Cross-defendants respond as follows: Cross-defendants are not presently aware of any such coverage. Discovery is ongoing and Cross-defendants reserve the right to supplement this response.

SPECIAL INTERROGATORY NO. 59:

Please provide the name of each company which has issued any policy of insurance to GRACE ENERGY which provided coverage at any time for oil operations conducted on the PREMISES.

Please provide the name of each company which has issued any policy of insurance to W.R. GRACE which provided coverage at any time for oil operations conducted on the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 59:

Cross-defendants hereby incorporate their response to Special Interrogatory No. 58.

SPECIAL INTERROGATORY NO. 60:

Describe any and all claims, actions, lawsuits, litigation, alternative dispute resolution, and/or administrative actions brought against YOU, RELATING to hydrocarbon contamination of the PREMISES.

RESPONSE TO SPECIAL INTERROGATORY NO. 60:

Cross-defendants hereby incorporate their General Objections, and further object because they never owned, operated, used, or held any property interest, including any leasehold interests, in the

1 Premises at any time. Without waiving any objections, however, Cross-defendants respond as
2 follows: Cross-defendants are not aware of any such actions, other than this litigation.

3 **SPECIAL INTERROGATORY NO. 61:**

4 Describe any and all DOCUMENTS RELATING to claims, actions, lawsuits, litigation,
5 alternative dispute resolution, and/or administrative actions brought by YOU, RELATING TO
6 hydrocarbon contamination of the PREMISES.
7

8 **RESPONSE TO SPECIAL INTERROGATORY NO. 61:**

9 See Response to Special Interrogatory No. 60.

10
11 Dated: March 15, 2001

12 JOHN C. MUELLER
LAW OFFICES OF JOHN C. MUELLER

13 COLIN G. HARRIS
14 HOLME ROBERTS & OWEN LLP

15
16 John C. Mueller / by LLS
John C. Mueller

17 Attorneys for Cross-Defendants
18 GRACE ENERGY CORPORATION AND
19 W.R. GRACE & CO.
20
21
22
23
24
25
26
27
28


PROOF OF SERVICE BY MAIL

I, the undersigned, say: I am and was at all times herein mentioned a resident of the County of Jefferson County, over the age of eighteen years and not a party to the within action or proceeding; that my business address is 1700 Lincoln Street, Suite 4100, Denver, CO 80203.

On March 15, 2001, I served the within **CROSS-DEFENDANTS' GRACE ENERGY CORPORATION'S AND W.R. GRACE & CO.'S JOINT RESPONSES TO FIRST SET OF INTERROGATORIES BY DEFENDANTS AND CROSS-COMPLAINANTS N.Y. HILLSIDE, INC., A CALIFORNIA CORPORATION, INTERNATIONAL PETROLEUM MANAGEMENT, INC. A CALIFORNIA CORPORATION, CHARLES JURGENS AND MAHGUIB EL-ARAB** of Grace Energy Corporation and W.R. Grace & Co. upon counsel and/or interested parties named in the attached mailing list hereto, by placing a true and correct copy thereof in an envelope. I sealed said envelope with postage thereon fully prepaid, and deposited the envelope in the mail [at] with the U.S. Postal Service in Denver, Colorado on March 15, 2001.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I made such service at the direction of a member of the bar of this court.

Executed on March 15, 2001, at Los Angeles, California.


Lisa A. Schuh

MAILING LIST

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- 2
- 3 David S. MacCuish
- 4 Weston, Benshoof, Rochefort, Rubalcava & MacCuish
- 4 444 South Flower Street, 43rd Floor
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- 6 Gary A. Meyer
- 6 Scott J. Leipzig
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- 9 Cynthia R. Maher
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- 12 Robert L. Compton
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- 15 Laura K. McAvoy
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- 18 Jill Cooper-Teraoka
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- 21 David Edson
- 22 Chevron, U.S.A., Inc.
- 22 3613 Camino Ramon, Suite 3208
- 23 San Ramon, CA 94583-4289
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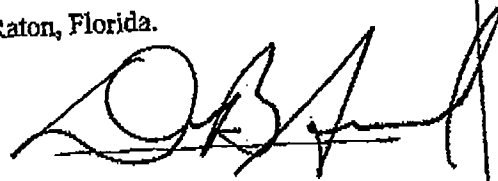
WBG #5

VERIFICATION

I, DAVID B. SIEGEL, hereby declare as follows:

I am an officer, director or managing agent of Cross-defendant, W.R. Grace & Co., and am authorized to make this Verification on its behalf. I have read Cross-defendant's, W.R. Grace & Co.,'s Responses to CROSS-DEFENDANTS' GRACE ENERGY CORPORATION'S AND W.R. GRACE & CO.'S JOINT RESPONSES TO FIRST SET OF INTERROGATORIES BY DEFENDANTS AND CROSS-COMPLAINANTS N.Y. HILLSIDE, INC., A CALIFORNIA CORPORATION, INTERNATIONAL PETROLEUM MANAGEMENT, INC. A CALIFORNIA CORPORATION, CHARLES JURGENS AND MAHGUIB EL-ARAB, and know its contents. I am informed and believe that the matters stated therein are true, and on that ground, I declare under penalty of perjury under the laws of the State of California, and the laws of the United States, that the same are true and correct.

Executed this ^{15th} day of March, 2001 at Boca Raton, Florida.



VERIFICATION

I, DAVID B. SIEGEL, hereby declare as follows:

I am an officer, director or managing agent of Cross-defendant, Grace Energy Corporation, and am authorized to make this Verification on its behalf. I have read Cross-defendant's, Grace Energy Corporation's Responses to **CROSS-DEFENDANTS' GRACE ENERGY CORPORATION'S AND W.R. GRACE & CO.'S JOINT RESPONSES TO FIRST SET OF INTERROGATORIES BY DEFENDANTS AND CROSS-COMPLAINANTS N.Y. HILLSIDE, INC., A CALIFORNIA CORPORATION, INTERNATIONAL PETROLEUM MANAGEMENT, INC. A CALIFORNIA CORPORATION, CHARLES JURGENS AND MAHGUIB EL-ARAB**, and know its contents. I am informed and believe that the matters stated therein are true, and on that ground, I declare under penalty of perjury under the laws of the State of California, and the laws of the United States, that the same are true and correct.

Executed this ^{15th} 14th day of March, 2001 at Boca Raton, Florida.

